

REMARKS

Reconsideration of the application is respectfully requested. Claims 1 – 28 are pending. No claims have been added, canceled, or amended in this response.

Claims 1-2, 5-7, 9-11, 15-16, 18, 22-24, and 28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,731,935 to Petrakos et al. (“Petrakos”) in view of JP 05268650 to Wakimoto et al. (“Wakimoto ”). Claims 8, 12, and 25-27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Petrakos in view of Wakimoto as applied to claims 1 and 15, and further in view of U.S. Patent No. 6,516,190 to Linkola (“Linkola”). Claims 3, 14, and 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Petrakos in view of Wakimoto as applied to claims 1-2 and 16, and further in view of U.S. Patent No. 5,999,521 to Thompson (“Thompson”). Claim 13 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Petrakos in view of Wakimoto and further in view of Linkola as applied to claim 12 above, and further in view of U.S. Patent No. 5,450,613 to Takahara (“Takahara”). Claim 19 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Petrakos in view of Wakimoto as applied to claim 15 above, and further in view of Takahara.

All the above claim rejections are based, at least in part, on Petrakos in view of Wakimoto. With respect to independent claims 1 and 15, Petrakos is cited as teaching all the features of independent claims 1 and 15, except “...alerting the user immediately before an incoming call is activated by an indication caused by the first and second non-text settings respectively that the user is connected to the first or second network, and circuitry for switching automatically to the first set when user’s mobile telephone is connected to said first network, and for switching automatically to the second set when user’s mobile telephone is connected to the second network.”¹

Wakimoto is cited by the Final Office Action as teaching the above features conceded to be missing from Petrakos. The Office Action in particular draws the attention of Applicant to the Abstract of Wakimoto. Based on the cited combination of Petrakos in view of Wakimoto, the Final Office Action concludes that the invention as claimed in independent

¹ Final Office Action mailed May 23, 2005, pp. 2-3.

claims 1 and 15 would have been obvious to one of ordinary skill in the art at the time the invention was made.

Applicant respectfully submits that, even it is assumed, for the sake of argument, that Petrakos teaches all the features of independent claims 1 and 15 except for those asserted by the Final Office Action to be supplied by Wakimoto, the cited combination of Petrakos and Wakimoto (“the cited combination”) fails to teach, suggest, or render obvious at least one of the distinguishing features of the invention as claimed in independent claims 1 and 15, respectively. In particular, Applicant respectfully submits that the cited combination fails to teach or suggest at least the feature of independent claim 1 of alerting the user immediately before an incoming call to the user is activated, by an indication caused by said first and second non-text settings respectively that the user is connected to the first or second network. In similar fashion, Applicant respectfully submits that the cited combination fails to teach, suggest or render obvious the feature of independent claim 15 of an indicator for alerting the user immediately when the phone receives an incoming call, by use of said first and second sets of non-text settings, that the user is connected to the first or second network.

Wakimoto is directed to an incoming call connection control system. In Wakimoto’s abstract, a system is described as being able to “...perform exact charging to an incoming call subscriber charging call by starting a first ringer generation part in the case of domestic incoming calls, starting a second ringer generation part in the case of international incoming calls, and thereby, generating ringer signals.” In Wakimoto, an international incoming call judging part receives call information and checks whether the call is international or domestic information. If the call is domestic information, a first ringer generation part is activated, and the telephone set rings. If the call is international information, a timer is started, a second ringer generation part is activated, and the telephone set rings. A callee can recognize the international incoming call by the ring tone and can refuse the incoming call by not answering by the call (i.e., preventing off-hook).

Applicant respectfully submits that, in Wakimoto, the telephone utilizes different ring tones to distinguish between international *incoming* calls and domestic *incoming* calls. The ring tones utilized by Wakimoto are not selected dependent upon a network to which the telephone used by the callee is connected. Indeed, in Wakimoto, a telephone used by a callee could be

connected to the same network and receive successive calls, one a domestic incoming call, and another an international incoming call, and in response thereto, generate different ring tones to notify the callee of the differing origins of the two calls relative to one another.

In an effort to better understand the positions taken in the Final Office Action, Applicant recently conducted a telephone conference with Examiner Angelica Perez. Applicant wishes to thank Examiner Perez for the courtesies extended during the telephone conference.

During the telephone conference, Applicant understood Examiner Perez' position relative to Wakimoto to be that a network to which the telephone used by the callee of Wakimoto is connected is dependent upon the origin of an incoming call. To the extent that Applicant is correct in this regard, Applicant respectfully disagrees. The term "the user is connected to the first or second network" of claims 1 and 15 is not dependent upon the origin of any incoming call; rather, it is apparent from the application as originally filed that this term refers to a network that the mobile station accesses for either outgoing or incoming calls.

In the case of outgoing calls, using the reasoning expressed by the Examiner, the network to which the mobile station is connected would be determined by the location of the called party, such as, for example, whether the called party was in the same or another country as the caller using the mobile station. Presumably, in this outgoing-call situation, the caller using the mobile station to place the call would know the location of the called party and would thus not need a non-text setting to alert him or her regarding the network to which the mobile station is connected. Moreover, dependent claims 6-7 and 23-24 recite that the first network may be a user's home network/ preferred network and that the second network may be a foreign network other than the user's home network/preferred network. These dependent claims support Applicant's position that the term "first or second network" of claims 1 and 15 refers to a network to which the mobile station is connected.

Given the above, Applicant respectfully submits that each of claims 1 and 15 distinguishes over the cited combination. The remaining claims depend, either directly or indirectly, from either independent claim 1 or independent claim 15. As none of the remaining cited references cures the deficiencies of the cited combination, Applicant respectfully submits that each of the dependent claims is also distinguishable over the cited combination for at least the reasons set forth above. Withdrawal of the rejections to all pending claims is respectfully requested. A notice of allowance is earnestly solicited.

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Respectfully submitted,

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